

House Amendment 1163

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1 1 Amend House File 644 as follows:
1 2 #1. Page 1 by striking line 13, and inserting the
1 3 following:
1 4 1 5 As>.
1 6 #2. Page 1, line 14, by inserting after the word
1 7 the following: 1 8 operation of a commercial manure service and>.
1 9 #3. Page 2, line 16, by inserting before the word
1 10 the following: .
1 11 #4. Page 2, by striking lines 18 and 19, and
1 12 inserting the following: 1 13 unless each manager>.
1 14 #5. Page 7, line 10, by inserting after the words
1 15 <shall be> the following: <adjusted annually by the
1 16 department>.
1 17 #6. Page 7, line 26, by striking the words <an
1 18 owner or manager> and inserting the following: <a
1 19 manager>.
1 20 #7. Page 7, line 27, by striking the figure
1 21 <459.318A> and inserting the following: <459.314A>.
1 22 #8. Page 7, line 29, by striking the words <an
1 23 owner or> and inserting the following: <a>.
1 24 #9. Page 8, line 7, by striking the word
1 25 and inserting the following: 1 26 commercial manure service license>.
1 27 #10. Page 8, line 9, by inserting after the words
1 28 the following: 1 29 department>.
1 30 #11. Page 8, by inserting after line 11, the
1 31 following:
1 32 _____. Section 459.316, subsection 2, Code
1 33 2003, is amended to read as follows:
1 34 2. ~~a. Except as provided in paragraph "b",~~
1 35 Compliance fees collected by the department shall be
1 36 deposited into the animal agriculture compliance fund
1 37 created in section 459.401.
1 38 ~~a. Moneys Except as provided in paragraph "b",~~
1 39 ~~moneys~~ collected from all fees ~~other than the annual~~
1 40 ~~compliance fee~~ shall be deposited into the compliance
1 41 fund's general account.
1 42 ~~b. Moneys collected from the annual compliance fee~~
1 43 ~~shall be deposited into the compliance fund's~~
1 44 ~~assessment account. Moneys collected from commercial~~
1 45 ~~manure service license fees and educational program~~
1 46 ~~fees shall be deposited into the compliance fund's~~
1 47 ~~educational program account.~~
1 48 ~~b. Receipts that are required to be received by~~
1 49 ~~the department from persons required to be certified~~
1 50 ~~pursuant to section 459.315 may be used to compensate~~
2 1 ~~a person who teaches continuing instructional courses~~
2 2 ~~in lieu of deposit into the compliance fund.~~
2 3 Sec. _____. Section 459.316, subsection 3, Code
2 4 2003, is amended to read as follows:
2 5 3. At the end of each fiscal year the department
2 6 shall determine the balance of unencumbered and
2 7 unobligated moneys in the assessment account and the
2 8 educational program account of the animal agriculture
2 9 compliance fund created pursuant to section 459.401.
2 10 a. If on that date June 30, the balance of
2 11 unencumbered and unobligated moneys in the assessment
2 12 account is one million dollars or more, the department
2 13 shall adjust the rate of the annual compliance fee for
2 14 the following fiscal year. The adjusted rate for the
2 15 annual compliance fee shall be based on the
2 16 department's estimate of the amount required to ensure
2 17 that at the end of the following fiscal year the
2 18 balance of unencumbered and unobligated moneys in the
2 19 assessment account is not one million dollars or more.
2 20 b. If on June 30, the balance of unencumbered and
2 21 unobligated moneys in the educational program account
2 22 is twenty-five thousand dollars or more, the
2 23 department shall adjust the rate of the commercial
2 24 manure service license fee and the educational program
2 25 fee for the following fiscal year. The adjusted rate
2 26 for the fees shall be based on the department's
2 27 estimate of the amount required to ensure that at the
2 28 end of the following fiscal year the balance of
2 29 unencumbered and unobligated moneys in the assessment

2 30 ~~account is not twenty=five thousand dollars or more.~~
2 31 Sec. _____. Section 459.401, subsection 2,
2 32 unnumbered paragraph 1, Code 2003, is amended to read
2 33 as follows:
2 34 The compliance fund is composed of ~~two~~ three
2 35 accounts, the general account, ~~and~~ the assessment
2 36 account, ~~and the educational program account.~~>
2 37 #12. Page 8, line 16, by striking the word
2 38 and inserting the following: .
2 39 #13. Page 8, line 17, by striking the word
2 40 and inserting the following:
2 41 .
2 42 #14. Page 8, line 17, by striking the figure
2 43 <459.315> and inserting the following: <459.316>.
2 44 #15. Page 8, by inserting after line 19, the
2 45 following:
2 46 _____. Section 459.401, subsection 2, Code
2 47 2003, is amended by adding the following new
2 48 paragraph:
2 49 NEW PARAGRAPH. c. The educational program account
2 50 is composed of moneys collected from the commercial
3 1 manure service license fee and the educational program
3 2 fee required pursuant to section 459.316.
3 3 Sec. _____. Section 459.401, subsection 5, Code
3 4 2003, is amended to read as follows:
3 5 5. Notwithstanding section 8.33, any unexpended
3 6 balance in an account of the compliance fund at the
3 7 end of the fiscal year shall be retained in ~~the fund~~
3 8 that account. Notwithstanding section 12C.7,
3 9 subsection 2, interest, earnings on investments, or
3 10 time deposits of the moneys in an account of the
3 11 compliance fund shall be credited to ~~the fund that~~
3 12 account.>
3 13 #16. Page 10, by striking lines 30 and 31 and
3 14 inserting the following:
3 15 _____. PRIOR PAYMENT OF FEES.
3 16 1. a. A manager of a commercial manure service
3 17 that has paid a certification fee as provided in
3 18 section 459.315, Code 2003, on or after January 1,
3 19 2003, but before the effective date of this Act, shall
3 20 not be required to pay a fee for a commercial manure
3 21 service license pursuant to section 459.316 until
3 22 March 1, 2004.
3 23 b. A commercial manure service representative who
3 24 has paid a certification fee as provided in section
3 25 459.315, Code 2003, on or after January 1, 2003, but
3 26 before the effective date of this Act, shall not be
3 27 required to pay an educational program fee required
3 28 pursuant to section 459.316 until March 1, 2005.
3 29 2. The department may require that a person who is
3 30 excused from paying a commercial manure service
3 31 license fee or an educational program fee as provided
3 32 in this section provide documentation that the person
3 33 is excused from paying the fee when being issued a
3 34 license or becoming certified.
3 35 Sec. _____. DIRECTIVE TO CODE EDITOR. The Code
3 36 editor shall transfer section 459.316, as amended by
3 37 this Act, to a new section 459.400.
3 38 Sec. _____. EFFECTIVE DATES.
3 39 1. Except as provided in subsection 2, this Act,
3 40 being deemed of immediate importance, takes effect
3 41 upon enactment.
3 42 2. Section 459.314A, as enacted in this Act, takes
3 43 effect January 1, 2004.>
3 44 #17. Title page, lines 2 and 3, by striking the
3 45 words and inserting the following:
3 46 .
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3 49
3 50 ALONS of Sioux
4 1
4 2
4 3
4 4 WHITAKER of Van Buren
4 5 HF 644.201 80
4 6 da/sh